

FIRST REGULAR SESSION

SENATE BILL NO. 50

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SIFTON.

Pre-filed December 1, 2014, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0324S.02I

AN ACT

To repeal section 302.341, RSMo, and to enact in lieu thereof one new section relating to the distribution of revenues collected from traffic violations, with an existing penalty provision.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 302.341, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 302.341, to read as follows:

302.341. 1. If a Missouri resident charged with a moving traffic violation
2 of this state or any county or municipality of this state fails to dispose of the
3 charges of which the resident is accused through authorized prepayment of fine
4 and court costs and fails to appear on the return date or at any subsequent date
5 to which the case has been continued, or without good cause fails to pay any fine
6 or court costs assessed against the resident for any such violation within the
7 period of time specified or in such installments as approved by the court or as
8 otherwise provided by law, any court having jurisdiction over the charges shall
9 within ten days of the failure to comply inform the defendant by ordinary mail
10 at the last address shown on the court records that the court will order the
11 director of revenue to suspend the defendant's driving privileges if the charges
12 are not disposed of and fully paid within thirty days from the date of
13 mailing. Thereafter, if the defendant fails to timely act to dispose of the charges
14 and fully pay any applicable fines and court costs, the court shall notify the
15 director of revenue of such failure and of the pending charges against the
16 defendant. Upon receipt of this notification, the director shall suspend the
17 license of the driver, effective immediately, and provide notice of the suspension
18 to the driver at the last address for the driver shown on the records of the
19 department of revenue. Such suspension shall remain in effect until the court

20 with the subject pending charge requests setting aside the noncompliance
21 suspension pending final disposition, or satisfactory evidence of disposition of
22 pending charges and payment of fine and court costs, if applicable, is furnished
23 to the director by the individual. The filing of financial responsibility with the
24 bureau of safety responsibility, department of revenue, shall not be required as
25 a condition of reinstatement of a driver's license suspended solely under the
26 provisions of this section.

27 2. If any city, town, village, or county receives more than thirty percent
28 of its annual general operating revenue from fines and court costs for traffic
29 violations, including amended charges from any traffic violation, occurring within
30 the city, town, village, or county, all revenues from such violations in excess of
31 thirty percent of the annual general operating revenue of the city, town, village,
32 or county shall be sent to the director of the department of revenue and shall be
33 distributed annually to the schools of the county in the same manner that
34 proceeds of all penalties, forfeitures and fines collected for any breach of the
35 penal laws of the state are distributed. **Any city, town, village, or county**
36 **that participates in the distribution of local sales tax in sections 66.600**
37 **to 66.630 shall not receive any amount of moneys to which the city,**
38 **town, village, or county would otherwise be entitled to receive to the**
39 **extent that the municipality receives more than fifty percent of its**
40 **annual general operating revenue from fines and court costs for traffic**
41 **violations, including any amended charges from any traffic violation,**
42 **occurring within the city, town, village, or county. Such local sales tax**
43 **revenues shall be sent to the director of the department of revenue and**
44 **shall be distributed annually to the schools of the county in the same**
45 **manner that proceeds of all penalties, forfeitures, and fines collected**
46 **for any breach of the penal laws of the state are distributed.** The
47 director of the department of revenue shall set forth by rule a procedure whereby
48 excess revenues as set forth above shall be sent to the department of revenue. If
49 any city, town, village, or county disputes a determination that it has received
50 excess revenues required to be sent to the department of revenue, such city, town,
51 village, or county may submit to an annual audit by the state auditor under the
52 authority of Article IV, Section 13 of the Missouri Constitution. An accounting
53 of the percent of annual general operating revenue from fines and court costs for
54 traffic violations, including amended charges from any charged traffic violation,
55 occurring within the city, town, village, or county and charged in the municipal

56 court of that city, town, village, or county shall be included in the comprehensive
57 annual financial report submitted to the state auditor by the city, town, village,
58 or county under section 105.145. Any city, town, village, or county which fails to
59 make an accurate or timely report, or to send excess revenues from such
60 violations to the director of the department of revenue by the date on which the
61 report is due to the state auditor shall suffer an immediate loss of jurisdiction of
62 the municipal court of said city, town, village, or county on all traffic-related
63 charges until all requirements of this section are satisfied. Any rule or portion
64 of a rule, as that term is defined in section 536.010, that is created under the
65 authority delegated in this section shall become effective only if it complies with
66 and is subject to all of the provisions of chapter 536 and, if applicable, section
67 536.028. This section and chapter 536 are nonseverable and if any of the powers
68 vested with the general assembly under chapter 536 to review, to delay the
69 effective date, or to disapprove and annul a rule are subsequently held
70 unconstitutional, then the grant of rulemaking authority and any rule proposed
71 or adopted after August 28, 2009, shall be invalid and void.

Bill ✓

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